

R E M A R K S

Applicants respectfully reassert the arguments submitted with Applicants response filed on July 11, 2003 in response to the Final Rejection mailed on April 23, 2003.

Particularly, Applicants respectfully submit that U.S. Patent No. 4,260,058 to Paull et al. (hereinafter referred to as "Paull") does not teach or suggest a removable module capable of storing a temperature sensitive probe and a supply of disposable covers as claimed. The housing 10 as illustrated in FIG. 1 of Paull does not teach or suggest a removable module according to the present invention even though it is removable from the base unit 14. The housing 10 illustrated in Paull, however, does accept a removable module (holster 16). Accordingly, the holster 16 and housing 10 of Paull are two separate and separable modules wherein the supply of probe covers is fixed to the housing 10. According Paull teaches away from the present invention because Paull discloses a probe holster 16 in a separate and separable from the probe cover supply. In contrast the present claims require that a single module capable of storing a probe and a supply of probe covers.

In light of the foregoing remarks, Applicants request the Examiner to withdraw the rejections to claims 1-27 and to consider new claim 28. Applicants believe that this application is now in condition for allowance and such action at an early date is earnestly requested.

The three month period for response to the Final Office Action expired on July 23, 2003. Please treat this paper as a petition to extend the time by one month. Enclosed is a one month's Petition For Extension of Time.

Attorney Docket No.: 20518/14
USSN: 09/942,334
Art Unit: 2859

Please charge any fees or credits to deposit account No. 50-0369. Also, in the event any additional extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge deposit account No. 50-0369 therefore.

Respectfully submitted,

Aug 22, 2003
Dated:

Joseph P. Quinn
Joseph P. Quinn, Esq.
Reg. No. 45,029
Customer No. 21710
Attorney for Applicants

BROWN RUDNICK BERLACK ISRAELS LLP
Box IP, 18th Floor
One Financial Center
Boston, MA 02111
Tel: 1-617-856-8396
Fax: 1-617 856-8201

#1223446 v1